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April 7, 2008

Ms. Marlene Dortch
Secretary
Federal Communications Commission
The Portals
445 Twelfth Street, SW
Washington, DC 20554

Re: *Creation of A Low Power Radio Service*, Second Further Notice of Proposed Rulemaking, MM Docket No. 99-25 – Comments of First Broadcasting Investment Partners, LLC

Dear Ms. Dortch:

First Broadcasting Investment Partners, LLC is a technically innovative broadcast investor that promotes the public interest and serves station owners, radio listeners and their communities by investing in projects to expand station coverage and improve signal quality. As such, First Broadcasting commends the Commission on taking action to strengthen the LPFM service. However, First Broadcasting believes advancing the LPFM service should not be done to the detriment of full-power radio broadcasters.

First Broadcasting does not object to the Commission requiring full-power broadcasters whose community of license change proposals will displace an LPFM station to assist such LPFM stations, both technically and financially, in implementing technical changes to preserve the LPFM station signal if such changes are technically feasible. Imposing such a burden is consistent with the Commission's policies with respect to involuntary channel changes for full-power stations. However, this obligation should be limited to only those LPFM stations that are authorized and operating at the time the full-power station submits its application for technical changes to its facilities. In addition, the full-power station should not be required to provide unending assistance to the LPFM station with respect to resolution of bona fide interference complaints; rather the full-power station should only be required to assist the LPFM station in resolving bona fide interference complaints that arise in the first sixty days after the required technical changes are implemented.

Notwithstanding our agreement that full-power broadcasters should assist LPFM stations in avoiding displacement if technically feasible, we do not concur with the Commission's proposal to grant LPFM stations primary status with respect to any full-power station's application for minor modification that proposes a change in community of license in a manner that would permanently displace a LPFM station providing eight hours per day of locally

originated programming. LPFM stations are a secondary service and as such, if there is no technically viable solution for preservation of the LPFM station service if the full-power station application is granted, then the LPFM station should be required to cease operations when the full-power station begins program tests. The Commission's adoption of such a rule is not in the public interest because it elevates preservation of a secondary service above the benefits associated with a primary service change.

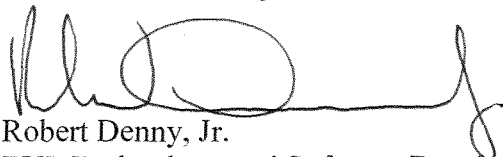
First Broadcasting further believes that regardless of any other changes the Commission implements with respect to LPFM stations, the Commission should adopt contour methodology licensing for LPFM stations. Specifically, First Broadcasting urges the Commission to adopt an interference based assignment methodology for LPFM stations rather than the minimum distance separation based assignment methodology currently in place. The Commission should allow use of a contour non-overlap methodology similar to those found in Section 73.215 and 73.509 of the FCC rules and permit full service stations to use the more rigorous desired-to-undesired (D/U) interference analysis method found in other parts of the FCC rules and in the agreements with Canada and Mexico to show no interference caused to an LPFM assignment. The Commission also should allow full service stations to employ terrain shielding in showings of no interference caused to LPFM reception.

First Broadcasting believes the Commission can and should adopt rules that strengthen the LPFM service and promote local service to communities. However, First Broadcasting opposes Commission adoption of any new LPFM FM rule that would unduly restrict full-power radio broadcast stations from making improvements to their signals to better serve the public interest and those local communities the Commission desires to have served.

Very truly yours,



Elizabeth Hammond
Vice President – Legal Affairs



Robert Denny, Jr.
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